Exhibit

## **Dale Book**

From:

Ross, Scott <SROSS@KDA.STATE.KS.US>

Sent:

Wednesday, April 16, 2008 10:54 AM

To:

Barfield, Dave; Billinger, Mark; Dale Book; David Pope; George Austin;

JDraper@montand.com; John Cassidy; slarson@sspa.com; Perkins, Sam; Rolfs, Lee; Ross,

Scott

Subject:

FW: Reservoir supplies

Dale,

These are the numbers Bill Peck of the USBR provided just now.

Scott

----Original Message----

From: William Peck [mailto:WPECK@gp.usbr.gov]

Sent: Wednesday, April 16, 2008 11:53 AM

To: Ross, Scott

Subject: Re: Reservoir supplies

Scott,

Per our discussion, the contracts with the irrigation districts allow for the release of storage water to a minimum pool level. There are no other limits that would prevent the districts from requesting the contracted water in any given year (no limit on application per acre or maximum annual release). In the past, irrigation districts have tried to conserve water for future years by placing a self imposed limit of water use, however, if additional water was needed to finish out the season it was taken.

Frenchman-Cambridge Irrigation District:

Swanson Lake; minimum contracted elevation is 2725.0 feet (20,855 acre-feet).

Hugh Butler Lake; minimum contracted elevation is 2561.0 feet

(11,212 acre-feet).

Harry Strunk Lake; minimum contracted elevation is 2343.0 feet

(8,850 acre-feet).

Frenchman Valley and H&RW Irrigation Districts:

Enders Reservoir; minimum contracted elevation is 3082.4 feet (8,948 acre-feet).

Bostwick in Nebraska and Kansas Bostwick Irrigation Districts:

Harlan County Lake; minimum contracted pool elevation (shutoff

elevation) is computed annually based

on the amount of irrigation storage available in the reservoir. Shutoff elevation can vary from 1927.0 feet to 1934.6 feet. There is no provision for any shutoff elevation

lower than 1927.0 feet (content

118,099 acre-feet).

Bonny Reservoir; the entire conservation pool storage was purchased by the State of Colorado. Minimum elevation that pool can be drawn too is

3635.5 feet (1,418 acre-feet).

Bill

1

>>> "Ross, Scott" <<u>SROSS@KDA.STATE.KS.US</u>> 04/16/08 9:44 AM >>> Bill,

We got a letter from NE with their arbitration issues. We continue to see their plan reliance on the acquisition of surface water from the projects. We would like to quantify those claims.

Can you tell me what the practical limits are on the water supply from storage.

Swanson: minimum contract elevation? Harry Strunk: minimum contract elevation? Harlan County minimum contract elevation?

Hugh Butler: minimum contract elevation? Bonny: minimum contract elevation?

Are there other limits to the water in storage? Are there limits on the maximum annual releases?

Does the Bureau have a limit on the application per acre? In other words, would a limit be placed on the quantity that could be released for a single season.

Scott